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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,789	10/05/2004	Kun-Yi Chan	MTKP0178USA	5788

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
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EXAMINER

WYATT, KEVIN S

ART UNIT	PAPER NUMBER
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2878

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/711,789	Applicant(s) CHAN ET AL.	
	Examiner Kevin Wyatt	Art Unit 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-48 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-37 is/are allowed.
- 6) ☒ Claim(s) 38 is/are rejected.
- 7) ☒ Claim(s) 39-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Request for Continued Examination and remarks filed on 11/24/2006. Currently, claims 27-48 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Lin (Publication No. U.S. 2004/0041571 A1).

Regarding claim 38, Lin shows in Figs. 1-3 a method of calibrating a light emitting device in an optical disc drive, the method comprising: providing a laser diode (32) installed within the optical disc drive being the light emitting device (30, i.e., laser source device) to be calibrated; controlling power of the light emitting device by changing values of a drive signal to the light emitting device during a calibration mode (S40 in Fig. 3); receiving a power indication signal corresponding to light emitted by the light emitting device (S31 in Fig. 3); determining a power relationship relating values of the drive signal to powers of the light emitting device according to the power indication signal for each of the values of the drive signal (S34-S37); detecting the light emitted by the light

emitting device (occurs before S31)(paragraph 0015, lines 6-9); providing a predetermined reference voltage (Sref signal provided for comparator (22)); generating the power indication signal (S41 in Fig. 3, and paragraph 0021, lines 1-5) having an inverse relationship with the analog signal such that when the analog signal is at the state of no light was emitted by the light emitting device, the power indication signal reaches at a predetermined maximum value, which is a function of the predetermined reference voltage (paragraph 0015, lines 9-11); and storing the power relationship determined during the calibration mode for controlling values of the drive signal according to desired powers of the light emitting device in a normal operation mode (S38 in Fig. 3, paragraph 0021, lines 5-11).

Allowable Subject Matter

4. Claims 27-37 are allowed.
5. Claims 39-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 27, the prior art fails to disclose or make obvious a light emitting device calibration system comprising, in addition to the other recited features of the claim, "a signal calibration circuit having a predetermined reference voltage being

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coupled between the light detector and the microprocessor for generating the power indication signal having an inverse relationship with the analog signal.”

Regarding claim 39, the prior art fails to disclose or make obvious a method of calibrating a light emitting device in an optical disc drive comprising, in addition to the other recited steps of the claim, “adjusting a value of the drive signal until the light emitting device does not emit any light.”

Response to Arguments

7. Applicant's arguments filed 11/24/2006 have been fully considered but they are not persuasive. However, claims 27 and 39, overcome the anticipation of the prior art for the reasons stated in the “Allowable Subject Matter.”

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hedin (Publication No. U.S. 2004/0099788 A1) discloses a laser diode driving circuit with safety feature.

Hsu (Publication No. U.S. 2004/0188591 A1) discloses an automatic power controller

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Wyatt whose telephone number is (571)-272-5974. The examiner can normally be reached on Monday-Friday.

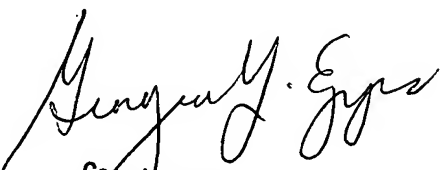
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571)-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.W.

K.W.


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800